

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

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**JOSHUA CHATWIN,**

**Plaintiff,**

**v.**

**DRAPER CITY; OFFICER J.  
PATTERSON, in his individual and  
official capacity; OFFICER DAVID  
HARRIS, in his individual and official  
capacity; OFFICER HEATHER BAUGH,  
in her individual and official capacity,**

**Defendants.**

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**RULING & ORDER**

**Case No. 2:14-cv-00375**

**United States District Court  
Judge Dale A. Kimball**

**Magistrate Judge Dustin B. Pead**

On June 2, 2016, non-attorney Mike Gulbraa<sup>1</sup> filed a “Motion To Quash Subpoena” on behalf of third party Cyber Ops, a limited liability corporation (ECF No. 59.)<sup>2</sup> Defendants Draper City, Officer Patterson and Officer Baugh (Defendants) filed their opposition to the motion on June 16, 2016 (ECF No. 60.)

Pursuant to local rule,

[n]o corporation, association, partnership or other artificial entity may appear pro se but must be represented by an attorney who is admitted to practice in this court.

DUCivR 83-1.3(c); *Tal v. Hogan* 453 F.3d 1244, 1254 (10<sup>th</sup> Cir. 2006) (citing *Harrison v.*

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<sup>1</sup>The Court assumes Mr. Gulbraa is not an attorney as he does not indicate a bar number or any legal association.

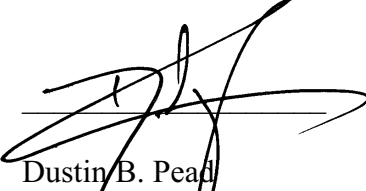
<sup>2</sup>This matter is before Magistrate Judge Dustin Pead pursuant to a 28 U.S.C. §636(b)(1)(A) referral from District Court Judge Dale Kimball (ECF No. 32.)

*Wahatoyas, LLC*, 253 F.3d 552, 556 (10<sup>th</sup> Cir. 2001) (“[A] corporation or other business entity can only appear in court through an attorney and not through a non-attorney corporate officer appearing pro se.”) In order to pursue quashing the subpoena, Cyber Ops must file its motion through an attorney. Cyber Ops may not appear pro se or through a non-attorney.

Accordingly, Cyber Ops, LLC’s Motion To Quash is denied without prejudice (ECF No. 59.)

DATED the 11th day of July,

BY THE COURT:



Dustin B. Pead  
U.S. Magistrate Judge